

Senate File 238 - Reprinted

SENATE FILE 238
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO SF 83)

(As Amended and Passed by the Senate March 7, 2017)

A BILL FOR

1 An Act relating to the criminal offense of sexual exploitation
2 by a school employee, and making penalties applicable.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 709.15, subsection 1, paragraph f, Code
2 2017, is amended by striking the paragraph and inserting in
3 lieu thereof the following:

4 *f.* (1) "*School employee*" means any of the following, except
5 as provided in subparagraph (2):

6 (a) A person who holds a license, certificate, or statement
7 of professional recognition issued under chapter 272.

8 (b) A person who holds an authorization issued under chapter
9 272.

10 (c) A person employed by a school district full-time,
11 part-time, or as a substitute.

12 (d) A person who performs services as a volunteer for a
13 school district and who has direct supervisory authority over
14 the student with whom the person engages in conduct prohibited
15 under subsection 3, paragraph "a".

16 (e) A person who provides services under a contract for such
17 services to a school district and who has direct supervisory
18 authority over the student with whom the person engages in
19 conduct prohibited under subsection 3, paragraph "a".

20 (2) "*School employee*" does not include a student enrolled
21 in the school district.

22 Sec. 2. Section 709.15, subsection 3, Code 2017, is amended
23 by adding the following new paragraph:

24 NEW PARAGRAPH. *c.* The provisions of this subsection do
25 not apply to a person who is employed by a school district
26 attendance center if the student with whom the person engages
27 in conduct prohibited under subsection 3, paragraph "a", is not
28 enrolled in the same school district attendance center that
29 employs the person, the person does not have direct supervisory
30 authority over the student, and the person does not meet the
31 requirements of subsection 1, paragraph "f", subparagraph (1),
32 subparagraph division (a).